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DIVISION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bodo von During **2004 JUL 28 PM 2:39** Attorney Docket No.: ELIOP001
Application No.: 10/049,757 Examiner: Martin, Angela J.
Filed: July 16, 2002 Group: 1745
Title: BATTERY, ESPECIALLY FLAT CELL Confirmation No: 7573

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on July 19, 2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: _____

Laura M. Dean
Laura M. Dean

**REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)**

ATTENTION: Refund Section, Accounting Division, Office of Finance
Mail Stop 17
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 500388 shown on the statement dated May 2004 (Control No. ELIOP001) for the above-identified patent. A copy of the monthly statement in which the error referred to occurs, accompanies this request.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

In an Amendment dated April 19, 2004, a One Month Extension of Time was requested for a Small Entity, and the fee of \$55.00 was authorized to be charged to our Deposit Account. However, on inspection of our Deposit Account statement for May 2004, the charge was \$110.00 at the Large Entity rate.

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

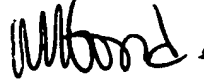
The client is a Small Entity, which was asserted at the time of filing the application. The client's Small Entity status is also acknowledged on the official Filing Receipt.

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IV. MANNER OF REFUND

Please refund by crediting Account No. 500388.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



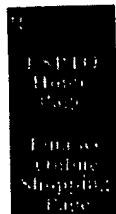
Joseph E. Bond
Registration No. 52,633

P.O. Box 778
Berkeley, CA 94704-0778
(650) 961-8300



**United States
Patent and
Trademark Office**

2004 JUL 28 PM 2:39

**Deposit Account Statement**

Requested Statement Month:

May 2004

Deposit Account Number:

500388

Name:

BEYER, WEAVER & THOMAS LLP

Attention:

ACCOUNTING DEPARTMENT

Address:

590 W. EL CAMINO REAL

City:

MOUNTAIN VIEW

State:

CA

Zip:

94040

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
05/03	1	10185737	KLAIP0184	1801	\$770.00	\$27,687.00
05/03	2	10185737	KLAIP0184	1251	\$110.00	\$27,577.00
05/03	3	10185737	KLAIP0184	1202	\$108.00	\$27,469.00
05/04	1	09796856	M-7125-IP US	1814	\$110.00	\$27,359.00
05/04	1	10481393	MES1P084	1614	\$344.00	\$27,015.00
05/04	183	09514130	SUN1P377/P42	8021	\$40.00	\$26,975.00
05/05	8	PCT/US04/08686		9204	-\$700.00	\$27,675.00
05/05	64	10836368	ANDIP042/8977	1201	\$132.00	\$27,543.00
05/06	1	10241398	IGTECH.0042P	1252	\$420.00	\$27,123.00
05/06	2	09703438	07078-028001	2253	\$475.00	\$26,648.00
05/06	3	09703438	07078-028001	2801	\$385.00	\$26,263.00
05/07	4	10836368	ANDIP042/8977	8021	\$40.00	\$26,223.00
05/07	71	09590438	VISAP060	1201	\$2.00	\$26,221.00
05/11	15	10017893	SMBRP001	1201	\$2.00	\$26,219.00
05/11	65	10727089	GCENP003	8021	\$40.00	\$26,179.00
05/11	87	09886397	VIGIP002	8021	\$40.00	\$26,139.00
05/11	88	09886403	VIGIP002	8021	\$40.00	\$26,099.00
05/11	89	09886402	VIGIP002	8021	\$40.00	\$26,059.00
05/11	90	09886393	VIGIP002	8021	\$40.00	\$26,019.00
05/11	91	09886408	VIGIP002	8021	\$40.00	\$25,979.00
05/11	92	09231819	VIGIP002	8021	\$40.00	\$25,939.00
05/11	93	10176282	VIGIP002	8021	\$40.00	\$25,899.00
05/11	94	10211862	VIGIP002	8021	\$40.00	\$25,859.00
05/12	1	10730694		8021	\$40.00	\$25,819.00
05/12	1	10049757	ELIOP001	1251	\$110.00	\$25,709.00
05/12	10	10842027		9204	-\$344.00	\$26,053.00
05/12	404	09886397	VIGIP002	8021	\$40.00	\$26,013.00
05/12	405	09886403	VIGIP002	8021	\$40.00	\$25,973.00

Deposit Account Statement

DIVISION

Page 2 of 3

05/12 406 10176282 VIGIP002 8021 \$40.00 \$25,933.00
 05/12 407 6697810 VIGIP002 8021 \$40.00 \$25,893.00
 05/12 408 6697809 VIGIP002 8021 \$40.00 \$25,853.00
 05/12 409 6617969 VIGIP002 8021 \$40.00 \$25,813.00
 05/13 1 09618579 02028950US 1401 \$330.00 \$25,483.00
 05/13 2 09618579 02028950US 1253 \$950.00 \$24,533.00
 05/13 3 10353760 ALPSP101 1251 \$110.00 \$24,423.00
 05/13 13 PCT/US03/09537 9204 -\$250.00 \$24,673.00
 05/14 1 09523373 VISAP025 1251 \$110.00 \$24,563.00
 05/14 2 09523373 VISAP025 1801 \$770.00 \$23,793.00
 05/14 2 09718974 IGT1P045USEP 1801 \$770.00 \$23,023.00
 05/14 3 09718974 IGT1P045USEP 1251 \$110.00 \$22,913.00
 05/14 118 0130000738 CREEP024 8014 \$25.00 \$22,888.00
 05/14 119 0130000738 CREEP024 8014 \$25.00 \$22,863.00
 05/14 284 09553438 IGT1P023P246 1504 \$300.00 \$22,563.00
 05/18 142 10168457 SCHPP024 8001 \$6.00 \$22,557.00
 05/19 1 10080913 NSC1P131X1 1801 \$770.00 \$21,787.00
 05/19 2 10080913 NSC1P131X1 1251 \$110.00 \$21,677.00
 05/19 3 PCT/US04/10170 9204 -\$700.00 \$22,377.00
 05/19 38 0143480642 APL1D278.KR 8014 \$25.00 \$22,352.00
 05/19 60 0133460917 APL1P223.CN 8014 \$25.00 \$22,327.00
 05/20 3 PCT/US04/10299 9204 -\$700.00 \$23,027.00
 05/20 393 10776403 APL1P287.EP (US) 8007 \$20.00 \$23,007.00
 05/21 9 60474084 GENSP015P 1807 \$50.00 \$22,957.00
 05/21 10 60474085 GENSP014P 1807 \$50.00 \$22,907.00
 05/21 11 09338286 007722-02980 2402 -\$165.00 \$23,072.00
 05/21 11 60467804 1807 \$50.00 \$23,022.00
 05/21 12 09338286 007722-02980 2255 -\$2,010.00 \$25,032.00
 05/21 13 09338286 007722-02980 1402 \$330.00 \$24,702.00
 05/21 14 09338286 007722-02980 1255 \$2,010.00 \$22,692.00
 05/21 81 D201636 APL1D297 8013 \$150.00 \$22,542.00
 05/24 2 10423700 APL1P269/P3058 1460 \$130.00 \$22,412.00
 05/24 3 10776403 APL1P287.EP (US) 1460 \$130.00 \$22,282.00
 05/24 4 10776652 APL1P277/P3156 1460 \$130.00 \$22,152.00
 05/24 6 09665526 IGT1P018 1202 \$72.00 \$22,080.00
 05/24 9 60513958 APL1P252X1P 1251 \$110.00 \$21,970.00
 05/24 11 PCT/US04/10883 VISAP076.WO 1703 \$12.00 \$21,958.00
 05/24 16 09782185 LAM1P147/PO675 1453 \$1,330.00 \$20,628.00
 05/25 2 10006496 IGT1PO64/P-4 1251 \$110.00 \$20,518.00
 05/25 11 PCT/US03/02359 9204 -\$250.00 \$20,768.00
 05/25 22 60573298 PP22102.001/CHIHP026P 1005 \$160.00 \$20,608.00
 05/25 35 10850676 SUN1P777/P8354 1203 \$180.00 \$20,428.00
 05/25 388 0146370960 CISCD012.CN 8014 \$25.00 \$20,403.00
 05/25 416 09685973 AVI1P004 8001 \$6.00 \$20,397.00
 05/26 1 09484611 CISC122/1242 1251 \$110.00 \$20,287.00
 05/26 3 10263938 UDL1P034C1 1253 \$950.00 \$19,337.00
 05/27 2 09590438 VISAP060 1202 \$252.00 \$19,085.00
 05/27 18 6107844 9204 -\$130.00 \$19,215.00

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2004 JUL 28 PM 2:39

In re application of: Bodo von During

Attorney Docket No.: ELIOP001

Application No.: 10/049,757

Examiner: Martin, Angela J.

Filed: July 16, 2002

Group: 1745

Title: BATTERY, ESPECIALLY FLAT CELL

Confirmation No: 7573

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to fax number 703-872-9306 to the U.S. Patent and Trademark Office on April 19, 2004.

Signed:

Laura M. Dean

AMENDMENT A TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	14	MINUS	20	0	x 9 = 0	x 18 = 0
Independent Claims	2	MINUS	3	0	x 43 = 0	x 86 = 0
Multiple Dependent Claim Present and Fee Not Previously Paid					\$145.00	\$290.00
Total					\$	\$



Applicant(s) hereby petition for a one month extension(s) of time to respond to the aforementioned Office Action.



Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 500388.



Please charge the required fees of \$55.00 for a One Month Extension of time for a Small Entity, or any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 500388 (Order No. ELIOP001).

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



Joseph E. Bond
Reg. No. 52,633

P.O. Box 778
Berkeley, CA 94704-0778

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bodo von During

Attorney Docket No.: ELIOP001

Application No.: 10/049,757

Examiner: Martin, Angela J.

Filed: July 16, 2002

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Title: BATTERY, ESPECIALLY FLAT CELL

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to fax number 703-672-9306 to the U.S. Patent and Trademark Office on April 19, 2004.

Signed: *Anna M. Dem*

Anna M. Dem

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APR 19 2004

AMENDMENT A

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OFFICIAL

Dear Sir:

In response to the Office Action dated December 19, 2003, please amend the above-identified patent application as follows:

Amendments to the Claims are reflected in the listing of claims which being on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

05/12/2004 ASINGLET 00000001 500388 10049757

01 FC:1251 110.00 DA

Adjustment date: 09/08/2004 EEKUBAY1
05/12/2004 ASINGLET 00000001 500388 10049757
01 FC:1251 110.00 CR

09/08/2004 EEKUBAY1 00000006 500388 10049757

01 FC:2251 55.00 DA